

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

| | |
|--|------------------------------|
| IN THE MATTER OF THE COMPLAINT FILED) | ORDER DISMISSING |
| BY THERMO BOND BUILDINGS INT'L, INC.,) | COMPLAINT AND CLOSING |
| ELK POINT, SOUTH DAKOTA, AGAINST) | DOCKET |
| QWEST CORPORATION, FORMERLY KNOWN) | |
| AS U S WEST COMMUNICATIONS, INC., MCI) | CT00-096 |
| WORLDCOM AND USBI REGARDING) | |
| UNAUTHORIZED CHARGES AND) | |
| EXORBITANT RATES AFTER SWITCHING ITS) | |
| LONG DISTANCE SERVICES TO MCI) | |

On August 16, 2000, the Public Utilities Commission (Commission) received a complaint filed by Thermo Bond Buildings Int'l, Inc., Elk Point, South Dakota (Complainant), against Qwest Corporation, formerly known as U S WEST Communications, Inc. (Qwest), MCI WorldCom (MCI) and USBI (USBI) regarding unauthorized charges and exorbitant rates after switching its long distance services to MCI.

On August 18, 2000, the complaint was faxed to Qwest, MCI and USBI. Pursuant to ARSD 20:10:01:09, Qwest, MCI and USBI were notified that they must satisfy the complaint or file answers in writing with the Commission by September 7, 2000. On September 6, 2000, the Commission received an answer and motion to dismiss from USBI. On September 7, 2000, the Commission received an answer from Qwest. On September 11, 2000, the Commission received an answer from MCI. At its September 26, 2000, meeting, the Commission considered USBI's motion to dismiss. The Commission granted USBI's motion to dismiss. Commission Staff received word from the Complainant stating that the complaint against the companies had been resolved.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapters 1-26, 49-13, including 49-13-1 through 49-13-14, inclusive, and SDCL Chapter 49-31, including 49-31-3, 49-31-7, 49-31-7.1, 49-31-7.2, 49-31-7.3, 49-31-7.4, 49-31-10, 49-31-11, 49-31-38, 49-31-38.1, 49-31-38.2, 49-31-38.3, 49-31-89 through 49-31-97, inclusive, and ARSD Chapters 20:10:01 and 20:10:34.

On October 17, 2000, at a regularly scheduled meeting, the Commission considered this matter. Upon recommendation of Commission Staff, the Commission voted to dismiss the complaint and close the docket. It is therefore

ORDERED, that the complaint shall be dismissed and the docket closed.

Dated at Pierre, South Dakota, this 20th day of October, 2000.

| |
|--|
| CERTIFICATE OF SERVICE |
| The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon. |
| By: _____ |
| Date: _____ |
| (OFFICIAL SEAL) |

BY ORDER OF THE COMMISSION:

JAMES A. BURG, Chairman

PAM NELSON, Commissioner

LASKA SCHOENFELDER, Commissioner

